



PAUL R. LePAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
P.O. Box 1107
GREENVILLE, MAINE 04441

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

DEVELOPMENT PERMIT DP 5001

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by Johnny Thibodeau dba Alder Brook Sugar House for Development Permit DP 5001, finds the following facts:

1. Applicant: Johnny Thibodeau dba Alder Brook Sugar House
731 Rang Saint Gaspard
Beauceville, G5X1A7, QC Canada
2. Agent: George Bakajza
PO Box 420
Greenville Jct., Maine 04442
3. Date of Completed Application: July 01, 2016
4. Location of Proposal: Bald Mountain Twp., Somerset County
Plan 01, Lot 1 (part of)
5. Zoning: (M-GN) General Development Subdistrict
6. Lot Size: 478 acres (leased)
7. Proposed Principal Building (Footprint):
Maple Sugar Processing Building with 2 bedrooms (60 ft. by 40 ft.)
Attached Woodshed (30 ft. by 40 ft.) and Tool shed (20 ft. by 8 ft.)
8. Sewage Disposal:
Proposed Subsurface Disposal System for Sugar Processing Facility

Proposal

- 9) The applicant proposes to construct a 60 ft by 40 ft. by 16 ft tall maple sugar processing facility with 2 bedrooms for living accommodations and an attached 30 ft. by 40 ft. wood shed with an attached 20 ft. by 8 ft. tool shed. The applicant proposes to use the existing land management road as an access driveway, which will end in the parking area. This would block through traffic, which currently use this land management road. To maintain land management road access through this area, the applicant states that the land owner will relocate the land management road to create a by-pass type loop that would be located approximately 75 feet from the proposed maple sugar processing facility. The applicant has submitted a copy of an application for a subsurface sewage disposal system for the facility, which when approved and installed will handle the facilities waste water.

Review Criteria

- 10) Under provisions of Section 10.24,A,3,c(8) of the Commission's Land Use Districts and Standards maple sugar processing operations may be allowed in a (M-GN) General Management Subdistrict upon issuance of a permit from the Commission.

- 11) Under provisions of Section 10.25,Q,1,g(2) of the Commission's Land Use Districts and Standards, a lot is not counted for the purposes of subdivision if it is retained by the person dividing the land, and for a period of at least 5 years:
 - a) is retained and not sold, platted, leased, conveyed or further divided, except for transfer to an abutter, and
 - b) is used solely for agricultural or forest management activities and associated structures and development.
- 12) Under provisions of Section 10.26,D,1&2 of the Commission's Land Use Districts and Standards commercial structures must be set back a minimum of at least 100 feet from the nearest shoreline of a flowing water draining less than 50 square miles, at least 75 feet from the traveled portion of all roadways and at least 25 feet from side and rear property lines.
- 13) The facts are otherwise as represented in the application for Development Permit DP 5001, and supporting documents.

Based upon the above Findings, the staff concludes that:

1. Based on the facts as presented and Chapter 10 Sections 10.24,A & 10.26 of the Commission's Land Use Districts and Standards the proposed maple sugar processing facility is an allowed use and meets all dimensional requirements.
2. If carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, Section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Therefore, the staff approves the application of Johnny Thibodeau dba Alder Brook Sugar House with the following conditions:

1. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
2. The proposed structure must be setback at least 100 feet from the streams, at least 25 feet from the property lines and at least 75 feet from the nearest road.
3. Construction debris must not be disposed of in a wetland. All construction debris must be disposed in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
4. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.

5. The scenic character and healthful condition of the area covered by this permit must be maintained. The area must be kept clear of litter, trash, and any other materials that may constitute a hazardous or nuisance condition.
6. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
7. Exterior finishes of all structures shall be non-reflective and natural colors to blend with the natural surroundings and minimize any adverse visual impacts.
8. Issuance of this permit does not obviate the need for any other federal, state or local approvals.
9. Once construction is complete, the permittee shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittee complies with all of these conditions. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT GREENVILLE, MAINE, THIS 22nd DAY OF JULY, 2016.

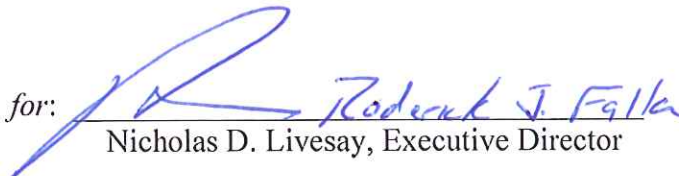
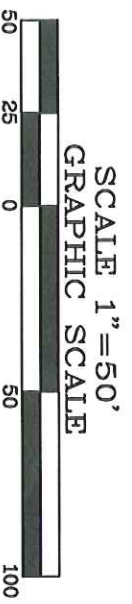
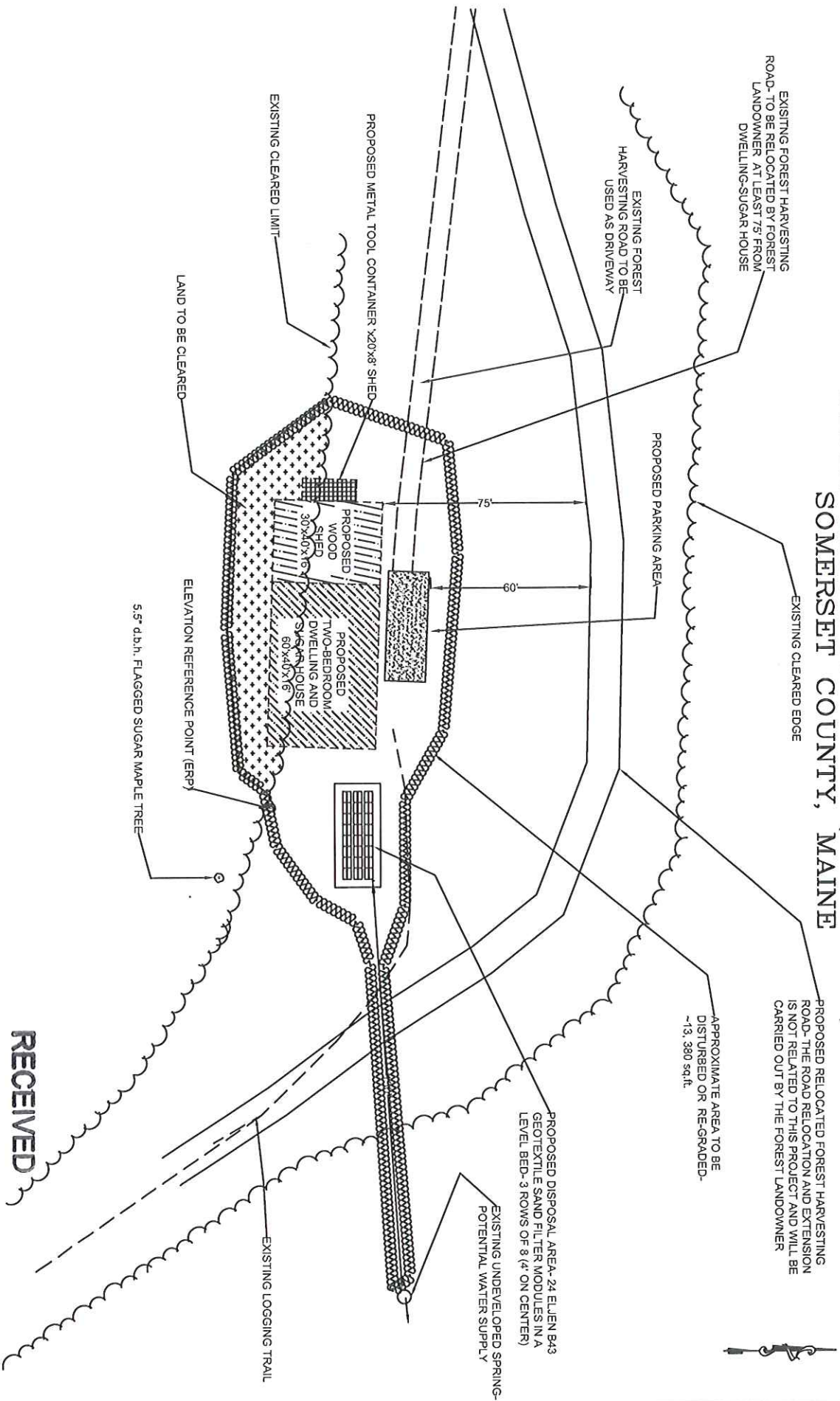
for:  Roderick J. Fella
Nicholas D. Livesay, Executive Director

EXHIBIT D SITE PLAN ALDER BROOK SUGARHOUSE CASSIDY TIMBERLANDS SUGARBUSH GROUND LEASE ALDER BROOK TOWNSHIP (T3R3 NBKP) SOMERSET COUNTY, MAINE



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EXHIBIT A; LOCATION MAP

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ALDER BROOK SUGARHOUSE, CASSIDY TIMBERLANDS, ALDER BROOK TWP. (R3 T3 NBKP), ME

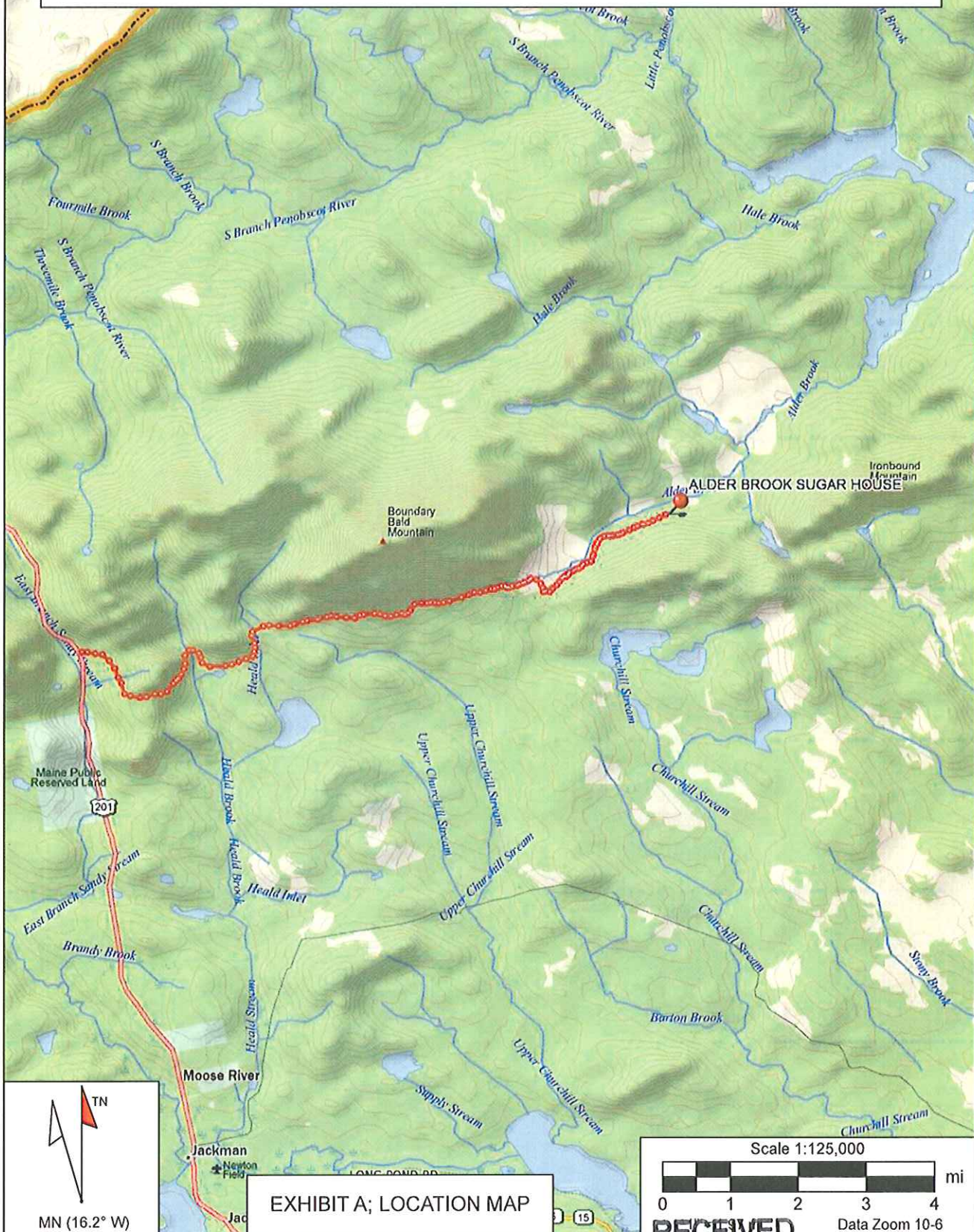


EXHIBIT A; LOCATION MAP

Scale 1:125,000

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